

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

MAILED

MAR 26 2004

**DIRECTOR'S OFFICE
TECHNOLOGY CENTER 3600**

Ward & Olivo
708 Third Ave.
New York NY 10017

In re Application of
Robert Santini
Application No. 09/773,230
Filed: January 31, 2001
For: PORTABLE COMPUTER STAND FOR A
LAPTOP COMPUTER

DECISION ON PETITION
TO WITHDRAW THE
HOLDING OF ABANDONMENT

This is in reply to applicant's petition to withdraw the holding of abandonment under 37 CFR 1.181, filed in the United States Patent and Trademark Office, on June 30, 2003.

The petition is **DISMISSED**.

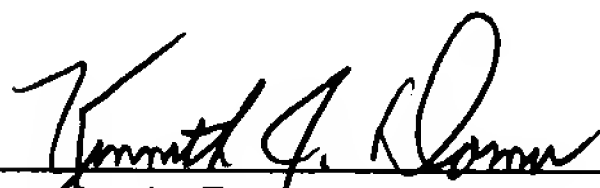
Petitioner states that a response to the Final Office Action mailed November 26, 2002 was filed on February 26, 2003 by facsimile transmission. The copy of the response submitted with the petition includes a Certificate of Transmission dated March 26, 2003.

Any petition to withdraw the holding of abandonment based upon a Certificate of Transmission by facsimile must provide the following:

- (1) A copy of the original response bearing a signed Certificate of Transmission which includes the date of signing; and
- (2) A statement under 37 CFR 1.8(b)(3) attesting to the personal knowledge of transmitting the original response on the date indicated on the Certificate of Transmission (see 37 CFR 1.8 and MPEP 512).

While meeting requirement (1) above, the petition fails under requirement (2) to provide a proper statement under 37 CFR 1.8(b)(3) attesting to personal knowledge of sending the original response by facsimile transmission on the date indicated on the certificate, by the person who signed the certificate. Although a statement has been provided by David Hill, it fails to attest to personal knowledge of sending the original response by facsimile transmission on the date indicated on the certificate. The statement that "our records indicate" does not constitute "personal knowledge" of the person who transmitted the original response.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(b) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition to Withdraw the Holding of Abandonment Under 37 CFR 1.81."



Kenneth J. Dorner
Special Programs Examiner
Patent Technology Center 3600
(703) 308-0866

KJD/mjz: 3/19/04